

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

OPERATING ENGINEERS LOCAL #49
HEALTH AND WELFARE FUND,
CENTRAL PENSION FUND OF THE
INTERNATIONAL UNION OF
OPERATING ENGINEERS AND
PARTICIPATING EMPLOYERS,
LOCAL #49 INTERNATIONAL UNION
OF OPERATING ENGINEERS AND
ASSOCIATED GENERAL
CONTRACTORS OF MINNESOTA
APPRENTICESHIP AND TRAINING
PROGRAM AND THEIR TRUSTEES,

Plaintiffs,

v.

ENGINEERED CONCRETE PLACER
OF MINNESOTA, INC., ENGINEERED
CONCRETE PLACER OF MINNESOTA
D/B/A E-CON-PLACER, INC., AND
RICHARD L. TOUSIGNANT,
INDIVIDUALLY,

Defendants.

Civil No. 08-4819 (JRT/FLN)

**ORDER FOR DISMISSAL
WITH PREJUDICE**

Amy Court and Carl Wosmek, **MCGRANN, SHEA, ANDERSON, CARNIVAL, STRAUGHN & LAMB, CHTD**, 800 Nicollet Mall, Suite 2600, Minneapolis, MN 55402, for plaintiffs.

Corie Tarara and Gregory Peters, **SEATON BECK & PETERS, PA**, 7300 Metro Boulevard, Suite 500, Minneapolis, MN 55439, for defendants.

Based upon the parties' stipulation for dismissal with prejudice [Docket No. 34],
and upon all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that all claims shall be dismissed in their entirety with prejudice, on the merits, and without costs, attorneys' fees, or disbursements to either party.

DATED: June 15, 2009
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge